

REMARKS

Claims 1 – 21 remain pending in the above-referenced application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

The Examiner has rejected claims 1-3, 6, 10, 11, and 15-18 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. No. 6,760,444 ("Leung") in view of U.S. Patent No. 5,732,350 ("Marko"). (See 05/31/07 Office Action, p. 5).

Claim 1 reads as follows:

A method for authenticating a roaming device with a network, comprising the steps of:
generating, by an authentication server of the network, authentication data associated with the roaming device;
sending the authentication data to access points of the network, the access points being connected to the authentication server; and
when the roaming device roams to a particular access point of the access points, determining if the particular access point has authentication data associated with the roaming device, using the authentication data to locally authenticate the roaming device at the particular access point if the determination is positive, or carrying out the authentication process at the authentication server if the determination is negative.

The operation in Leung that is relevant to the highlighted language is when a mobile node moves from a home agent to a foreign agent. The original registration at the home agent does not count, since that operation is not a roam. In the roaming operation of Leung, the foreign agent is the "particular access point" of claim 1, since a mobile node moves from a home agent to a foreign agent. For the roaming operation of Leung to fully satisfy the highlighted language, the foreign agent must determine if it "has authentication data associated with the roaming device." Since the foreign agent does not make such a determination in a roaming operation, it does not satisfy the highlighted claim language. In column 7, Leung states that "as mobile node 702 roams, it may frequently shift from one foreign agent to another...." Column 7, lines 51-52. According to Leung, "[t]his requires that the Home Agent repeatedly authenticate the same mobile node." Column 7, lines 53-54. If Leung states that a roam to a foreign agent requires an

authentication by the mobile node's home agent, then it follows from this that the foreign agent (the "particular access point" of the claim) does not determine if it has authentication data. Otherwise, what would be the point of requiring the home agent to perform the authentication? There is no disclosure that Leung requires the foreign agent to make this determination to provide a redundancy in the system, nor is there a disclosure by Leung that the foreign agent makes this determination in case the authentication by the home agent fails. Therefore, in Leung, when a foreign agent is encountered by a roaming node, the foreign agent never "determin[es] if the particular access point has authentication data associated with the roaming device." It always assigns that function to the home agent, but the home agent is not the "particular access point" of the claim because by definition in Leung a home agent is never an agent to which a mobile node roams.

Moreover, Marko does not overcome this deficiency in Leung.

The same argument applies to the other independent claims in this rejection. Therefore, in view of this discussion, withdrawal of this rejection is respectfully requested.

Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Leung in view of Marko and in further view of U.S. Patent No. 5,408,683 to Ablay et al. ("Ablay"). However the further combination of Ablay does not cure the above-mentioned deficiency of Leung and Marko. Thus, it is respectfully submitted that claims 4 and 5 which depend from and, therefore, include all of the limitations of claim 1 are also allowable.

Claims 7, 8, and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Leung in view of Marko and in further view of U.S. Patent No. 6,452,910 to Vij et al. ("Vij"). However the further combination of Vij does not cure the above-mentioned deficiency of Leung and Marko. Thus, it is respectfully submitted that claims 7, 8, and 13 which depend from and, therefore, include all of the limitations of claim 1 and 10 are also allowable.

Claims 9, 12, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Leung in view of Marko and in further view of U.S. Published Appln. No. 2002/0174335 to

Zhang ("Zhang"). (See Office Action, pp. 14-16). However the further combination of Zhang does not cure the above-mentioned deficiency of Leung and Marko. Thus, it is respectfully submitted that claims 9, 12, and 14 which depend from and, therefore, include all of the limitations of claim 1 and 10 are also allowable.

Claim 19 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Leung in view of Zhang, with RFC 2138 incorporated to illustrate inherent properties of the RADIUS protocol. Zhang is directed toward converging both the authentication, accounting, and authorization process with data transmissions at the Internet Protocol layer. (See Zhang, Abstract). Zhang still maintains a communication with the access point to an authentication server to authenticate mobile devices. (See *Id.*, [0074]–[0078]).

Claim 19 recites as follows:

A method for authenticating a roaming device with a network, comprising the steps of:
with an authentication server, receiving an authentication request from a roaming device if the access point connected with the roaming device has no authentication data associated with the roaming device, the request being encrypted with a first shared code;
with the authentication server, generating a session key associated with the roaming device;
sending the session key to an access point of the network, the session key being encrypted with a second shared code; and
utilizing the session key to authenticate the roaming device at the access point, and to encrypt data exchanged between the roaming device and the access point.

It is respectfully submitted that neither Zhang nor the combination of Zhang and Leung teaches that "an authentication server, receiving an authentication request from a roaming device *if the access point connected with the roaming device has no authentication data associated with the roaming device.*" Leung has been discussed above. In contrast with the claimed invention, Zhang does not suggest such an authentication server. In particular, the Examiner does not state how Leung shows that its purported authentication server receives the request "if the access point... has not authentication data...." Because of this absence, the Examiner has not established a prima facie case of obviousness. Thus, it is respectfully submitted that one skilled in the art would not find the combination of Leung in view of Zhang obvious over claim 19.

Accordingly, it is respectfully submitted that claim 19 is therefore allowable.

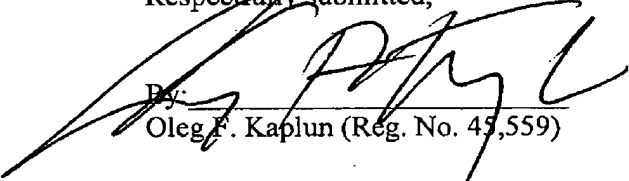
Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Leung in view of Zhang and in further view of Marko. Leung, Zhang, and Marko have been discussed. The combination of the three references does not cure the deficiency mentioned above regarding claim 19. Thus, it is respectfully submitted that claim 20 which depends from and, therefore, includes all of the limitations of claim 19 is also allowable.

Claim 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Leung in view of Zhang and in further view of U.S. Patent No. 6,178,506 to Quick, Jr. ("Quick"). Leung, Zhang, and Marko have been discussed. The combination of the three references does not cure the deficiency mentioned above regarding claim 19. Thus, it is respectfully submitted that claim 21 which depends from and, therefore, includes all of the limitations of claim 19 is also allowable.

In view of the above remarks, it is respectfully submitted that all the presently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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